

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20177
Atsushi OGINO, et al. : Confirmation Number: 8810
Serial No.: 09/781,187 : Group Art Unit: 2687
Filed: February 13, 2001 : Examiner: Huy Q. Phan

For: METHOD OF PROVIDING LOCATION SERVICE USING CDMA-BASED
CELLULAR PHONE SYSTEM, A METHOD OF MEASURING LOCATION
AND LOCATION SYSTEM

PETITION TO REVIVE UNDER 37 CFR 1.137(b)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An official Notice of Abandonment was mailed September 19, 2006. It is requested that the application be revived pursuant to 37 CFR § 1.137(b).

The Notice of Abandonment indicates the application is abandoned for failure to timely respond to the Final Office Action mailed on April 27, 2005 setting a three-month shortened statutory period for response to expire on July 27, 2005. The entire delay in filing the response to the Office Action from July 27, 2005 to the granting of this petition was unintentional because the Final Office Action dated April 27, 2005 was never received in our office. A thorough search of all docketing systems has been conducted to determine if any indication was present that the subject Final Office Action was ever received.

As the entire period for delay and resulting abandonment was unintentional, applicants respectfully petition for revival of the application, and authorize the required petition fee of \$1,500.00 to be charged to Deposit Account No. 500417.

Also attached is a Request for Continued Examination and a complete response to the Office Action dated April 27, 2005.

Revival of the application, entry of the Response, and consideration on the merits are respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


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**Please recognize our Customer No. 20277
as our correspondence address.**